

REMARKS

In the above-noted Final Official Action, claims 1-18 were rejected under 35 U.S.C. §103(a) over BROWN (U.S. Patent No. 5,987,107) in view of WULKAN et al. (U.S. Patent No. 5,862,203). Applicants respectfully traverse the rejection under 35 U.S.C. §103(a).

Initially, Applicants would like to thank the Examiner for his courtesy in conducting a telephone interview with Applicants' representative, Joshua M. Povsner, on June 13, 2005. In the above-noted telephone interview, Applicants' representative explained that the combination of references applied in the outstanding Final Official Action fail to disclose, suggest or render obvious the combination of features recited in Applicants' claims. In this regard, Applicants' representative explained that the claims of the present application variously recite a "switching point" and/or a "control point". Applicants' representative explained that each of the "switching point" and/or the "control point" recited in Applicants' claims are characterized by numerous features related to billing that are not disclosed, suggested or rendered obvious by the combination of references applied in the outstanding Final Official Action.

The Examiner indicated that he would discuss Applicants' claims with a Primary Examiner. The Examiner promptly returned Applicants' representative's call the same day and indicated that the rejections of claims 1-18 would be withdrawn.

Accordingly, Applicants respectfully submit that claims 1, 7, 13 and 16 are allowable at least because the references applied in the Final Official Action, whether considered alone or in any proper combination, fail to disclose, suggest or render obvious at least the combination of features recited therein. Applicants further submit that each of dependent claims 2-6, 8-12, 14-15 and 17-18 are allowable at least for depending, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations.

Additionally, Applicants hereby incorporate the remarks at pages 2-7 of the Response under 37 C.F.R. §1.111 filed on January 27, 2005, and submit that these remarks explain how the teachings of the combination of references applied by the Examiner do not disclose, suggest or render obvious the features of the invention recited in the present claims. In particular, the above-noted remarks in the Response filed on January 27, 2005 explain that each of the “switching point” and/or the “control point” recited in Applicants’ claims are characterized by numerous features related to billing that are not disclosed, suggested or rendered obvious by the combination of references applied by the Examiner. Further, as noted above, during the above-noted telephone interview, the Examiner indicated that the rejection of claims 1-18 would be withdrawn.

Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the outstanding rejections, as well as an indication of the allowability of each of the claims now pending.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants' representative conducted a telephone interview with the Examiner in which Applicants' representative explained that the combination of features recited in Applicants' claims are not disclosed, suggested or rendered obvious by the references applied in the outstanding Final Official Action, whether such references are considered alone or in any proper combination.

Should the Examiner have any questions or comments regarding this Reply, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
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